

# **EXHIBIT 1**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	)	
	)	Chapter 11
	)	
YELLOW CORPORATION, <i>et al.</i> , <sup>1</sup>	)	Case No. 23-11069 (CTG)
	)	
Debtors.	)	(Jointly Administered)
	)	

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**STIPULATION RELATING TO SCHEDULING WITH RESPECT TO WARN ACT  
CLAIMS OF PENSION AND HEALTH AND WELFARE FUNDS**

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This stipulation (“**Stipulation**”) is made and entered into by and among the above-captioned debtors and debtors in possession (collectively, the “**Debtors**”); Central States Southeast and Southwest Areas Health and Welfare Fund (“**CSHWF**”), International Association of Motor City Machinists Pension Fund and Health and Welfare Fund, Mid-Jersey Trucking Industry & Teamsters Local 701 Welfare Fund and Pension and Annuity Fund, New York State Teamsters Council H&H Fund, Auto Mechanics Local 701 Pension Fund and Health and Welfare Fund, Teamsters Local 170 Health and Welfare Fund, Employment Partners Benefits Fund and Western Pennsylvania Teamsters and Employers Pension Fund (collectively, the “**Funds**,” and together with the Debtors, the “**Parties**”). The Parties hereby stipulate and agree as follows:

1. On August 16, 2024, the Debtors, the International Brotherhood of Teamsters and the International Association of Machinists (collectively, the “**Unions**”), the plaintiffs in Adversary Proceeding No. 23-50457 (the “**Moore Plaintiffs**”) and the plaintiffs in Adversary Proceeding No. 23-50761 (the “**Coughlen Plaintiffs**,” and the claims of the Unions, the Moore Plaintiffs, and the Coughlen Plaintiffs collectively, the “**Individual WARN Claims**”)

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<sup>1</sup> A complete list of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors’ claims and noticing agent at <https://dm.epiq11.com/YellowCorporation>. The location of the Debtors’ principal place of business and the Debtors’ service address in these chapter 11 cases is: 11500 Outlook Street, Suite 400, Overland Park, Kansas 66211.

entered into a *Stipulation Relating to the WARN Claims and Proceedings Scheduling Order*, which the Court approved with an implementing order (the “**Individual WARN Claims Scheduling Order**”)(D.I. 4109).

2. The Funds were not a party to the Individual WARN Claims Scheduling Order. The Individual WARN Claims Scheduling Order includes a deadline for filing summary judgment motions of September 6, 2024, with a response deadline of September 27, 2024, and a reply deadline of October 4, 2024 (collectively, the “**Individual WARN Claims Summary Judgment Deadlines**”).

3. On September 6, 2024, the Debtors filed their *Debtors’ Motion for Summary Judgment* (D.I. 4290) and *Debtors’ Memorandum of Law in Support of Their Motion for Summary Judgment* (“**Memorandum of Law**”)(D.I. 4291, filed under seal; D.I. 4316). The Debtors’ Memorandum of Law includes an argument (Argument IV) that the Funds’ WARN claims fail as a matter of law.

4. The Debtors and the Funds agree that notwithstanding the inclusion of Argument IV in the Debtors’ Memorandum of Law, the Individual WARN Claims Summary Judgment Deadlines do not apply to the Funds’ WARN claims and the Debtors will not go forward with argument on those claims at argument on their pending Motion for Summary Judgment on October 28, 2024. The pursuit of summary judgment on the Funds’ WARN claims is deferred to the schedule set forth below, and Argument IV in the Debtors’ Memorandum of Law shall be deemed withdrawn.

5. To the extent the Debtors prevail on the Individual WARN Claims, either through motions for summary judgment or following trial on the Individual WARN Claims, and a final order is entered disallowing such claims in their entirety, the amount of the Funds’ claims for contributions based on the employees being entitled to WARN Act relief shall be

automatically disallowed with prejudice without further briefing or argument. Notwithstanding the foregoing sentence, the amount of the Funds' claims attributable to the Individual WARN Claims shall not be automatically disallowed to the extent that the Debtors settle the Individual WARN Claims, including any settlements reached after a final order entered disallowing the Individual WARN Claims. If an order of the Bankruptcy Court fully disallowing the Individual WARN Claims is appealed, then the Funds' WARN claims shall be reinstated in the event of a reversal of the order on appeal. For the avoidance of doubt, the above-referenced disallowance shall only apply to the portions of the Funds' claims relating only to WARN.

6. To the extent the Debtors do not prevail on the Individual WARN Claims, within thirty days of the entry of an order finally adjudicating the Individual WARN Claims, either through motions for summary judgment or following trial on the Individual WARN Claims, the Debtors will file a renewed Motion for Summary Judgment with respect to the Funds' WARN claims or notify the Funds that they do not intend to renew the Motion for Summary Judgment on the Funds' WARN claims. Within that same thirty-day period following an order finally adjudicating the Individual WARN Claims, the Funds may file their own Motions for Summary Judgment.

7. The Debtors and the Funds will have thirty days to respond to a summary judgment motion, and 15 days to file any reply.

8. Upon the filing of a renewed Motion for Summary Judgment on the Funds' WARN claims, the Debtors and the Funds will confer with the Court on a mutually convenient date for argument on the motion.

9. All rights, claims, and defenses of the Parties with respect to the Funds' WARN claims are fully preserved.

10. The Parties represent and warrant to each other that the signatories to this Stipulation have the full power and authority to enter into this Stipulation.

11. The Bankruptcy Court will have jurisdiction to resolve any disputes or controversies arising from or relating to this Stipulation.

WHEREFORE, the undersigned have executed this Stipulation on behalf of the Parties.

Dated: October 25, 2024  
Wilmington, Delaware

/s/ Peter J. Keane

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